

**AREA PLAN COMMISSION OF TIPPECANOE COUNTY
MINUTES OF A PUBLIC HEARING**

DATEJanuary 15, 2003
TIME7:00 P.M.
PLACE.....County Office Building
20 N. 3RD Street
Lafayette, IN 47901

MEMBERS PRESENT

Jack Rhoda
Jan Mills
KD Benson
Ashley Stevenson
Karl Rutherford
Steve Schreckengast
David Williams
Kathy Vernon
John Knochel
Jeff Kessler
Mark Hermodson
Stuart Boehning
James Miller

MEMBERS ABSENT

Miriam Osborn
Laura Peterson

STAFF PRESENT

James Hawley
Sallie Fahey
Bernard Gulker
Don Lamb
Joanna Grama, Atty
Michelle D’Andrea

The Area Plan Commission of Tippecanoe County Public Hearing was held on the 15th day of January 2003, at 7:00 P.M., pursuant to notice given and agenda posted as provided by law.

President Jack Rhoda called the meeting to order.

I. ELECTION OF OFFICERS

Jeff Kessler moved to nominate Jack Rhoda for President of the Area Plan Commission. Mark Hermodson seconded the motion.

Joanna Grama asked if there were any other nominations for President.

Jeff Kessler moved that the nominations for President be closed. Kathy Vernon seconded and the motion carried by voice vote.

Jack Rhoda said he is instructing the Secretary to cast a unanimous ballot.

Jeff Kessler moved that Jan Mills be nominated for Vice President of the Area Plan Commission. Kathy Vernon seconded the motion.

Jeff Kessler moved that the nominations for Vice President be closed. Kathy Vernon seconded and the motion carried by voice vote.

Jack Rhoda stated that the Secretary would cast that unanimous ballot.

James Hawley reminded the commission that that the By-Laws were amended last month. He stated that there is no longer an election for Secretary, it is the Executive Director.

Jeff Kessler moved that Karl Rutherford and Jeff Kessler be nominated to represent Tippecanoe County on the Area Plan Commission's Executive Committee. Kathy Vernon seconded and the motion carried by voice vote.

Jeff Kessler moved that Dave Williams and Jack Rhoda be nominated to represent the City of Lafayette on the Area Plan Commission's Executive Committee. Kathy Vernon seconded and the motion carried by voice vote.

Jeff Kessler moved that Jan Mills and Mark Hermodson be nominated to represent the City of West Lafayette on the Area Plan Commission's Executive Committee. Kathy Vernon seconded and the motion carried by voice vote.

Jeff Kessler moved that James Miller be nominated to represent the Towns of Dayton, Battle Ground and Clarks Hill on the Area Plan Commission's Executive Committee. Kathy Vernon seconded and the motion carried by voice vote.

Jeff Kessler moved that the Secretary cast a unanimous ballot for Jack Rhoda, Jan Mills, Karl Rutherford, Jeff Kessler, Mark Hermodson, Dave Williams and James Miller. Kathy Vernon seconded and the motion carried by voice vote.

Jeff Kessler moved that Mark Hermodson be nominated to represent the City of West Lafayette and Miriam Osborn be nominated to represent Tippecanoe County on the Area Board of Zoning Appeals. Kathy Vernon seconded and the motion passed by voice vote.

Jeff Kessler moved that the Secretary cast a unanimous ballot for Mark Hermodson and Miriam Osborn for the Area Board of Zoning Appeals. Kathy Vernon seconded and the motion passed by voice vote.

II. BRIEFING SESSION

James Hawley reminded the Commission that most of the cases on tonight's agenda need to be continued to the special meeting on January 21, 2003, and 4:30 pm. He mentioned that **Z-2107—TIPPECANOE DEVELOPMENT (R1 TO NB) and Z-2108—TIPPECANOE DEVELOPMENT (R1 TO R1B)** were the exceptions and should be continued to the February 19, 2003 meeting. He stated that **Z-2102—KINGSWOOD DEVELOPMENT, LLC (A TO RE) (Kingswood East Subdivision)** has been withdrawn. He introduced Ashley Stevenson to the Commission as the new representative for Dayton, replacing Mike Harris.

III. APPROVAL OF MINUTES

Jeff Kessler moved to approve the minutes of the December 18, 2002 public hearing. Kathy Vernon seconded and the motion carried by voice vote.

IV. NEW BUSINESS

A. CONTRACT FOR LEGAL SERVICES

Jeff Kessler moved to hear and approve the Contract for Legal Services. Kathy Vernon seconded the motion.

James Hawley read the staff report and mentioned that legal counsel concurs with report.

Steve Schreckengast asked for clarification that this is a month-to-month contract.

James Hawley responded yes.

Steve Schreckengast asked if other firms had been solicited to submit proposals.

James Hawley stated that the Budget and Personnel Committee instructed him to send letters to selected firms that may be interested in submitting a proposal.

Steve Schreckengast asked if there was a timeline for proposals to be submitted.

James Hawley stated January 20, 2003 was the deadline.

John Knochel asked if it was appropriate for James Hawley to share the list of contacted firms with the Commission.

James Hawley stated he did not have the list with him, but was able to share it with them.

Jack Rhoda asked James Hawley to make the list available to the Commissioners.

James Hawley replied affirmatively. He stated that it was the Budget and Personnel Committee's recommendation that the letters be sent out.

KD Benson asked for clarification as to what the procedure was, once the list was given to the Commissioners. She asked if they would then inform the Budget and Personal Committee if there were firms that were omitted and still interested.

Steve Schreckengast asked if this was the same procedure that the County Council and County Commissioners use to review legal contracts.

John Knochel stated that in the years that he has been a Commissioner, they have solicited firms once or twice.

The motion carried by voice vote.

B. AMENDMENT TO THE BY-LAWS

Restructured filing fees.

Jeff Kessler moved to hear and approve the Amendment to the By-Laws. Kathy Vernon seconded the motion.

James Hawley presented a memo sampling variances fees from around the State. He mentioned that the Town of Warsaw does not have a fee. He pointed out that communities, which have lower fees, tend to be slow growing communities and communities that have not changed their fee structure in 20 years. He stated that most of the communities on the list had additional fees for any and all continuances or amendments of the original petition. He pointed out that Boone County is very close to us and they have a \$250 variance fee. He said that he was asked how the number of cases was related to the cost. He informed the Commission that a cost accounting is done for every employee by every job that they do. He presented and reviewed a worksheet showing the dollars and hours of each employee. He reviewed the "cost to process" formulas used in the worksheet. He presented a letter from the Ellsworth-Romig Neighborhood Association voicing concerns regarding the increase of variance fees. He pointed out that the zoning was changed in this neighborhood to alleviate their concerns. He stated that this neighborhood has reduced setbacks: front, rear and side setbacks, and out building setbacks. He said that these reductions are at the minimum standards set by the City Council. He asked for approval. He said that at next week's meeting they would hear amendment USO 3, which will remove the fees from the subdivision ordinance. He stated that the ABZA would meet next week and vote on a by-law amendment to change the variance and special exception fees.

Steve Schreckengast asked for clarification on what the fee for appeals is related to.

James Hawley explained that was for an appeal filed to dispute a decision of an administrative officer. He said that was a fee that did not come up very often.

Steve Schreckengast asked if someone wanted to appeal a decision made by Al Levy, it would cost \$500.

James Hawley responded yes. He explained that the cost of legal counsel on one case last year was over \$1000. He said that in addition to an appeal taking up staff time, two extra meetings of the ABZA are required. He stressed that these meetings are special meetings, above and beyond the regular monthly meetings.

Steve Schreckengast asked if the \$500 appeal fee would be applicable anywhere else.

James Hawley replied that there is only one circumstance this would apply to, appealing the decision of the administrative officer. He said that is the only kind of appeal that the ABZA is authorized to hear.

Steve Schreckengast asked if this would apply to other jurisdictions that were appealing the decision of the administrative officer.

James Hawley replied yes, it could be himself, Opal or Scott.

Mark Hermodson stated that most of the appeals did come from the engineers.

Steve Schreckengast asked for clarification that an appeal of the city engineers goes before the ABZA.

James Hawley responded yes. He stated that an appeal from the decision of an administrative officer of the zoning ordinance, under state law, goes to the ABZA, as the first level of appeals.

Steve Schreckengast asked if this was the exception to the rule.

Mark Hermodson replied no.

James Hawley responded no. He stated that Scott has been appealed on billboard determinations, interpretation of the zoning ordinance and signage.

Mark Hermodson stated that there have only been three or four appeals in twenty years.

James Hawley pointed out that if an appeal is won, the ABZA could still appeal to the court.

KD Benson asked if the cost process that James Hawley presented included staff only, or if things like paper, postage and attorney fees were included.

James Hawley responded it was staff only.

Karl Rutherford stated that he agreed that it was time to change the fees, but would like to see the variance and appeal fee stay the same.

Jack Rhoda asked Karl Rutherford that if he was making a motion, it should be done separately.

Karl Rutherford stated that he would be happy to make a motion, but was really just making a suggestion for discussion. He said that he would like the Commission to consider keeping variance and appeal fees the same, but raise everything else as proposed.

Steve Schreckengast pointed out that appeals do not return large revenues because there have only been a few in the last couple of years.

James Hawley said that the exception was there were three last year alone.

Karl Rutherford pointed out that the proposal does not list any appeals last year.

James Hawley explained that the proposal was based on 2001 data because 2002 was not complete when the proposal was written. There were three appeals in 2002 one against the West Lafayette officer and two against the County officer.

KD Benson asked how many parcelizations should be anticipated, now that sliders have been eliminated.

James Hawley replied that they would be in the AA districts and two tracts between two and ten acres each.

Steve Schreckengast asked for clarification that it was not possible to appeal at a regular BZA meeting.

James Hawley explained that the initial appeal comes to a regular BZA meeting, but all subsequent deliberations are done in a special meeting where the appeal is the only topic. He stressed that they are special hearings only on that particular issue.

Steve Schreckengast stated that he agreed with Karl Rutherford and would like to hear what the public has to say on the subject.

Karl Rutherford moved to adopt the proposed fee schedule with the exception of the variance and appeals fees, staying the same. Steve Schreckengast seconded the motion.

Jack Rhoda stated that the amendment to the proposal is now open for discussion.

Opal Kuhl, Administrative Officer, City of Lafayette, 20 North 3rd Street, stated she supported the amendment that was made by Karl Rutherford. She said that her main concern was the variance fee. She pointed out that most of the variances that the City deals with are individual citizens in the U districts, who are remodeling or adding garages and sheds to narrow lots. She stated that the increased fees would be quite a burden on individual citizens because that would be on top of payment for newspaper advertisements. She pointed out that by the time the citizen is ready to start construction on their modest project, they have already spent \$400-\$500. She reiterated that the increased fee would be too much of a financial burden on individual citizens.

Steve Schreckengast asked if it takes additional staff time to review 2 or 3 variances.

Opal Kuhl replied negatively. She stated that staff time on individual residence variances, includes a search of records, a visit to the site for pictures and measurements and writing of the report.

Steve Schreckengast asked if it mattered if there was one variance on that property or three.

Opal Kuhl replied no, it was the same amount of time.

Dave Lahr 822 Kossuth Street, Lafayette, IN, stated that he was a member of the City of Lafayette Zoning Appeals and supported the statements made by Opal Kuhl. He reiterated that the high cost of obtaining a variance did not justify the small projects citizens are doing simply to improve their property and its value. He asked for approval of the amendment.

Jeff Kessler reminded the Commission of James Hawley's time and effort on this proposal. He said that he has received questions on the accounting of time and dollars spent on these situations and without a doubt Mr. Hawley has been able to document the hourly rate, hours spent and number of cases. He stated that is pretty impressive. He said that he is glad that the Commission is moving closer to a user fee and still only recouping 50% of cost to process. He stated that this is the right direction to go.

Jack Rhoda asked if Jeff Kessler was in opposition of the amendment.

Jeff Kessler stated that he would support the amendment because of statements that have been heard at tonight's meeting. He said the Commission has to be sensitive to the individuals and Opal Kuhl. He reiterated that he does not have a problem with the amendment.

Kathy Vernon agreed with Jeff Kessler. She stated that the Commission should not be looking to place a burden on the citizens, but to recoup some of the fees that have not been revised in 20 years. She said that she would support the amendment.

Steve Schreckengast stated that he supported the amendment. He said that any time there is a discussion on raising fees or taxes, it should be done grudgingly and with a lot of public input. He mentioned that all businesses, government entities and school boards face budget crunches. He said the answer to that problem is not only to raise revenue, but also to look at the efficiency of the department. He stated that the amended proposal was fair and should be tried out for a while to see how it works out. He pointed out that one area that could possibly be more efficient were the staff reports for ABZA. He compared the ABZA process to the Lafayette BZA. He reiterated his support for the amended proposal.

The motion to amend the fee structure proposal to leave variances and appeals at their original fee, carried by voice vote.

Jack Rhoda stated that the proposal has been amended and now the floor was open for discussion of the entire proposal.

Joseph T. Bumbleburg, PO Box 1535, Lafayette, IN, stated that he agreed with the amendment that just passed. He said fees for this kind of public service should be carefully visited upon the taxpayers. He stated that there are services that the government provides because they are government, and planning is one of them. He stated that he did not understand why the petitioner has to pay a \$100 fee for recording of plat vacations. He informed the Commission that once the vacation is done, it is the petitioner's responsibility to have it recorded and the Area Plan Staff does not need to

help. He stated that it is an unnecessary charge and suggested eliminating it from the proposal. He asked for an amendment eliminating that charge.

Jack Rhoda asked James Hawley to respond to Mr. Bumbleberg's comments and justify the fee of plat vacations.

James Hawley stated that the State statute was very clear that the Area Plan Staff was responsible for recording the plat vacation not the petitioner. He informed the Commission that he personally records all of the plat vacations. He said that involved making sure all the paperwork was correct for the recording process, taking them up and running them through the Auditors office, the Recorder's office and then distributing them to all of the relevant agencies that have to have documentation of the changes.

Kathy Vernon asked if the State statute designated who must do that, or can any member of the staff do that.

James Hawley stated that someone else can do that, and in cases when he is not available, another staff member can do it. He said that it is the Area Plan staff's responsibility, and as a staff member he takes on that responsibility himself to ensure it is done and done properly.

Steve Schreckengast asked what the fee was for a minor modification to a planned development. He asked if it would be \$100 for the modification and an additional \$100 to record it.

James Hawley stated no, it would be only \$100.

The motion to adopt the fee proposal, as amended, carried by voice vote.

V. PUBLIC HEARING

Jack Rhoda read the meeting procedures.

Jeff Kessler moved that the Comprehensive Plan for Tippecanoe County, the Unified Zoning Ordinance of Tippecanoe County, and the Unified Subdivision Ordinance of Tippecanoe County, Indiana, are hereby entered by reference into the public record of each agenda item. Kathy Vernon seconded and the motion carried by voice vote.

A. ORDINANCE AMENDMENTS

Jeff Kessler moved to continue **UZO AMENDMENT #33, UZO AMENDMENT #34 and USO AMENDMENT #3** to the January 21, 2003 4:30 pm meeting. Kathy Vernon seconded and the motion carried by voice vote.

B. REZONING ACTIVITIES

Jeff Kessler moved to continue **Z-2105—WILLIAM M. FLEISCHHAUER (SALISBURY PLACE PLANNED DEVELOPMENT) (CBW TO PDMX) and Z-2106—JUAN**

ALVAREZ (A TO R3) to the January 21, 2003 4:30 pm meeting. Kathy Vernon seconded and the motion carried by voice vote.

Jeff Kessler moved to continue **S-3261—FAITH BAPTIST SUBDIVISION (MAJOR-PRELIMINARY), S-3267—SEXSON SUBDIVISION (MINOR-SKETCH), S-3268—STONES CROSSING SUBDIVISION, SECTION 2 (MAJOR-PRELIMINARY), S-3269—RAINEYBROOK SUBDIVISION, PART 2, SECTION 2 (MAJOR-PRELIMINARY) and S-3270—WINDING CREEK SUBDIVISION, SECTION 2 (MAJOR-PRELIMINARY)** to the January 21, 2003 4:30 pm meeting. Kathy Vernon seconded and the motion carried by voice vote.

Jeff Kessler moved to continue **Z-2107—TIPPECANOE DEVELOPMENT (R1 TO NB) and Z-2108—TIPPECANOE DEVELOPMENT (R1 TO R1B)** to the February 19, 2003 meeting. Kathy Vernon seconded and the motion carried by voice vote.

C. SUBDIVISIONS

1. **S-3257—TERRY MINOR SUBDIVISION (MINOR-SKETCH):**
Petitioners are seeking primary approval for a 3-lot subdivision on 6.065 acres, located on the west side of CR 500 E, approximately 1/2 mile south of SR 26, in Fairfield 36 (NE) 23-4. CONTINUED FROM THE JANUARY EXECUTIVE COMMITTEE MEETING.

Jeff Kessler moved to hear and approve the above-described request. Kathy Vernon seconded the motion.

Bernard Gulker read the staff's report with recommendation for conditional primary approval subject to the following conditions:

FINAL PLAT – The following items shall be part of the Secondary Application and Final Plat approval:

1. If there is a mortgage on this property, a recorded partial release or written acknowledgment from the mortgage company must be obtained in order to dedicate the necessary right-of-way.
2. All existing easements, covenants or restrictions shall be shown and referenced with the corresponding recording information (Document Number and date recorded).
3. All required building setbacks and buffer yards shall be platted.
4. The street addresses and County Auditor's Key Number shall be shown.
5. All of the land involved in this subdivision must be zoned residentially prior to recordation of the final plat.
6. A County Health Department approved perimeter drainage easement must be shown on the final plat.

James Hawley presented slides of the zoning map, aerial photo and sketch plan. He reiterated recommendation for conditional primary approval.

James Butcher, Ticen Surveying, 10 North Third Street, Lafayette, IN, representing the petitioner, stated that the conditions were acceptable and he was available to answer any questions.

The Commission voted by ballot 13 yes – 0 no to grant conditional primary approval of S-3257—TERRY MINOR SUBDIVISION (MINOR-SKETCH).

VI. ADMINISTRATIVE MATTERS

Bernard Gulker informed the Commission that tomorrow (January 16, 2003) would be his last as Assistant Director of the planning staff. He stated that he would be on leave/vacation until February 17, 2003 at which time his employment will be terminated. He recapped the events of his accident and disability case from the past 2-½ years leading to today and this decision. He mentioned that James Hawley has been extremely patient during this process. He thanked the Commission for their support of the planning team. He thanked the Commission and the Staff for allowing him to disagree and be disagreeable. He commended everyone for his or her public service. He stated that he would miss the job very much. He said that his future is uncertain, but plans on staying active in the community, in some capacity. He mentioned that it was always a goal of his to sit on the Area Plan Commission as a Commissioner. He stated that his chances of being elected are non-existent. He asked the elected officials to keep him in mind if they had an appointed opening.

Sallie Fahey invited the Commissioners to attend a reception in the Area Plan office on January 24, 2003 in Bernie's honor.

Jack Rhoda said on behalf of all the Commissioners, all of his work was appreciated. He thanked Bernie and wished him the best for the future. He said that they would plan to be there on the 24th to extend him best wishes.

Steve Schreckengast stated that he has worked with Bernie on both personal projects as well as professional. He said that they have had some friendly and philosophical disagreements, but Bernie has always been the utmost gentleman and professional. He wished him well.

Joseph T. Bumbleburg stated that he was speaking as Chairman of the Bar Association's Committee on Land Use and Zoning. He said that on behalf of this Committee, he would like to publicly commend Bernie for the services he has given Tippecanoe County. He stated that he personally would miss Bernie for his contribution. He confirmed Bernie's earlier comments that on occasion he is irascible and disagreeable.

VII. APPROVAL OF THE FEBRUARY EXECUTIVE COMMITTEE AGENDA

Jeff Kessler moved that the February 5, 2003 Executive Committee Agenda be approved as submitted. Kathy Vernon seconded and the motion was carried by voice vote.

Jeff Kessler moved that the following subdivision petition be placed on the February 5, 2003 Area Plan Commission Executive Committee Agenda at petitioner's request, placement thereon being without reference to compliance or non-compliance with the adopted subdivision ordinance:

S-3273—ROBERTSON SUBDIVISION (MINOR-SKETCH)

Kathy Vernon seconded and motion was carried by voice vote.

VIII. DETERMINATION OF VARIANCES -- Area Board of Zoning Appeals

Jeff Kessler moved that the following requests for variance from the Unified Zoning Ordinance are not requests for use variance, prohibited from consideration by ordinance and statute:

BZA-1629—HAWKINS OUTDOOR ADVERTISING

Kathy Vernon seconded and motion was carried by voice vote.

Jeff Kessler moved that with regard to the following petitions, the sign ordinance be strictly adhered to:

BZA-1629—HAWKINS OUTDOOR ADVERTISING

Kathy Vernon seconded and motion was carried by voice vote.

IX. DIRECTOR'S REPORT

James Hawley stated that it has been a difficult week, but staff will carry on and do what needs to be done to keep the department functioning.

X. CITIZENS' COMMENTS AND GRIEVANCES

Steve Schreckengast asked for clarification on next week's agenda. He asked if UZO Amendment 33 had been generated by the City of Lafayette.

James Hawley stated yes, but the wording was incorrect in its intent. He informed the Commission that the staff report for this amendment suggests a correction which will have to be voted on and amended on the floor next week. He said that the way it was written would erase the rest of the Downtown proximate and the intent of the City Council was to add to it.

Steve Schreckengast asked for confirmation that the City Council was on board with this.

Jack Rhoda and James Hawley responded affirmatively.

Steve Schreckengast stated that over the past month he has met with Karl Rutherford, Dave Williams as well as some local developers and engineers to discuss the fee proposal. He said that the general consensus of these meetings was that the subdivision and planned development increased fees did not seem out of line. He said that they also discussed how to make the system more efficient. He said that to be profitable there are two parts of the equation: raising revenue and being efficient. He pointed out that in every organization there is never enough time, money or personnel to accomplish every goal. He said the question is how do we become more efficient. He suggested hosting a summit and solicit the opinions of the administrative officers, staff, attorneys, engineers and developers to propose efficiency ideas. He gave the example of Karl Rutherford's suggestion that the staff only read the report comments section during the meeting in an effort to conserve time. He proposed giving every one 30-60 days to put some problems and solutions in writing to be reviewed and discussed at a special Ordinance Committee meeting.

James Hawley pointed out that one element of that is there could be a lot less review of technical documents by the staff if they were correct when turned in. He mentioned that there would also be a lot fewer conditions if they were submitted properly.

Steve Schreckengast suggested that those problems be listed under staff comments.

Karl Rutherford stated that was a good point. He said that the Commissioners could be compared to a board of directors. He pointed out that everyone has a different point of view and area of expertise, which would be beneficial in a brainstorming session. He said that one idea that may seem great to him would be ludicrous to the staff. He mentioned that the Commission and staff do not often get the opportunity to sit down together and discuss ideas.

James Hawley said he understood Karl Rutherford's idea. He mentioned that had been done to a certain extent with the re-writing of the UZO and USO. He reminded the Commission that any time there was a quorum of Commissioners together, it must be a public meeting. He stated that anything that involves eight or more members of this Board or a Committee appointed by this board, must be an advertised public meeting, unless it is a personnel matter.

Sallie Fahey stated that there could be an advertised, public work session.

Steve Schreckengast pointed out that this would not involve any work from the staff's point of view. He said that the attorneys, engineers and developers are willing to meet and come up with a list of suggestions. He mentioned that if staff and administrative officers could also come up with their own list, and then they could call a public meeting. He stated that it could be a workshop, Ordinance Committee meeting or any format, unless the rest of the Commissioners believe that everything is running perfect and does not need to be fixed.

Jack Rhoda stated that this is the first time he is hearing of this idea. He suggested that the groups that Steve Schreckengast is referring to, present a proposal to the

Commission, at which time it can be assigned to a committee for public discussion. He said that to open up a regular meeting of people bringing in proposals, is not conducive. He said that he would like to see those proposal and ideas in writing, before being brought to a public meeting.

Steve Schreckengast pointed out that everyone is busy.

Jack Rhoda pointed out that the Commissioners are also busy.

Steve Schreckengast suggested passing a resolution that would move toward that. He said that he did not want them to simply throw a petition at the Commission at a regular meeting, because it is too important.

Jack Rhoda stated that the proposals could be mailed to him or the Secretary and it could then be distributed to the Commissioners.

Steve Schreckengast stated that sounded bureaucratic to him.

Jack Rhoda stated that as President, he would consider it and assign it to the appropriate committee. He said that unless he is overruled by a vote, that is his suggestion.

Marianne Owen, Stuart & Branigin, 300 Main Street, Suite 800, Lafayette, IN 47902, stated that her time working with Bernie was not long enough, it has been a pleasure and it was wonderful to butt heads with him. She said that the work he has done in this community has been a distinct treasure. She said that she has discussed the issue of efficiencies with Steve Schreckengast as well as others. She mentioned that as they were discussing the fee structure, other ideas kept popping up. She said that there are other options within the State Enabling Act, that allow for simpler descriptions rather than the full legal description. She said that would have avoided some of the things they have seen in recent months. She said that everyone should look at the perceived inefficiencies and talk them through because the viewpoints are different from the staff to the practitioners to the end users. She stated that the work session that Steve Schreckengast is suggesting is not meant to be adversarial. She said that this is a matter of sitting down and determining what is holding things back. She mentioned that there are different things that are seen as inefficiencies from the staff perspective to the developers, to the attorneys, to the surveyors, that can be changed within the APC and BZA By-Laws. She stated that when looking at the Enabling Act there might be things that would be beneficial to change on an overall basis. She said that we should not rule out talking to Indianapolis. She said that these perceived inefficiencies mean that people are spending too much time and money going through this process in order to accomplish very simple things, when it could be spent making them better developments, better homes and better overall contributions to the community. She said that the attorneys support Steve Schreckengast's comments and look forward to participating in a round table discussion on the topic.

Jack Rhoda agreed and said he has no objection to a review of the process. He stated that his concern is that as President of the Commission, this is the first time he has

heard that this has been discussed. He pointed out that because this is the first time most of the Commissioners as well as himself, have heard of this, they are not prepared to suggest a process to deal with this issue. He said that as President he would take the matter under advisement and hopefully by Tuesday have a plan in place. He stated that he is bothered by the insinuation that the system is broke and in need of repair.

Marianne Owen stated that there is no insinuation. She said that as discussions have occurred this topic emerged and they wanted to bring it before the board.

Jack Rhoda stated that they would take this all under advisement.

KD Benson stated that this is the first time she had heard of any meetings either. She said that her office receives complaints and questions all the time and does not think this is a bad idea.

Jack Rhoda agreed and stated that he has no objection and believes there is probably a need for this review. He suggested that anyone who has ideas for change should submit it in an official document for the Commission to review. He said that it is not productive to just open it up for public discussion. He reiterated using a written format to work through the ideas first.

Steve Schreckengast stated that this should not be an adversarial proposal. He said that with any discussion there has to be a first time for everything. He pointed out that if he thought the system was perfect, then there would be no need for this discussion or a meeting. He said he believes this would be a good investment of time. He asked if he should make a motion or resolution.

Karl Rutherford stated that the meeting was currently in the Public Comment portion and it was too late for a motion.

Steve Schreckengast stated that he would like to continue discussions because this issue will not go away. He said that instead of suggestions coming in one at a time, they should solicit opinions to be presented in a professional format for the President and staff to review it before the work session meeting.

Jack Rhoda stated that was exactly what he proposed earlier. He said that he hopes the groups that Steve is referring to write that document.

Steve Schreckengast stated that they would move forward with getting that together. He said that he would let him know when the proposal was ready and at a future meeting make a motion to set a date for a work session.

Kathy Vernon stated that as a County Council member, this is the first time she has heard of this also. She said that she believes this is a great idea. She informed the Commission that every department in the County is being asked to work harder and smarter. She pointed out that they have already looked at fees and now it is time to look at process. She mentioned that since this department comes in contact with so many different categories of citizen, that public input should also be considered.

Jack Rhoda stated that he completely agrees. He said that his concern was that they would be pushed towards a process that he is not in favor of. He said the process that Steve Schreckengast outlined was almost identical to what he had suggested earlier. He reiterated that they should receive the ideas in writing first, so that the Commission can deal with them in an official and formal way.

John Knochel stated that he disagreed with part of that statement. He pointed out that listed on every agenda is Citizen Comments. He said that even though they are members of the Area Plan Commission, they are still citizens of Tippecanoe County and as such they have the right to make any presentation at any meeting. He said that it is the citizens choice whether the make a proposal in writing or verbally.

XI. ADJOURNMENT

Steve Schreckengast moved that the meeting be adjourned. Jan Mills seconded and the motion carried by voice vote.

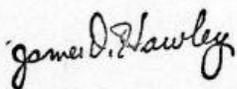
The meeting was adjourned at 8:20 P.M.

Respectfully submitted,



Michelle D'Andrea
Recording Secretary

Reviewed by,



James D. Hawley, AICP
Executive Director